

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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GIITOU NEOR and TYRONE WALLACE, *on behalf  
of themselves, FLSA Collective Plaintiffs, and the Class,*

Plaintiffs,

-against-

Case No.: 22-cv-04814-ER

ACACIA NETWORK, INC.  
d/b/a ACACIA NETWORK,  
ACACIA NETWORK HOUSING INC.  
d/b/a ACACIA NETWORK,  
PROMESA RESIDENTIAL HEALTH CARE  
FACILITY, INC.  
d/b/a PROMESA, and  
JOHN DOE CORP 1-100,

Defendants.

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**STIPULATION OF  
DISMISSAL WITH  
PREJUDICE F.R.C.P. 41(A)(1)  
(a)(ii) AS TO OPT-IN  
PLAINTIFF MARVA  
CARBERRY**

**IT IS HEREBY STIPULATED AND AGREED**, by and between the parties, through their respective counsel, that the Fair Labor Standards Act (“FLSA”) and the New York Labor Law (“NYLL”) wage claims of Opt-in Plaintiff Marva Carberry, are hereby dismissed with prejudice, as against Defendants, without costs or attorneys’ fees to any party, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii). There has been no settlement of any kind between Plaintiff and any of the Defendants in connection with the claims being voluntarily dismissed herein.

For the avoidance of doubt, Plaintiffs Gittou Neor and Tyron Wallace and all other opt-in plaintiffs maintain their claims against Defendants.



LEE LITIGATION GROUP, PLLC

By: /s/ C.K. Lee

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Date: August 20, 2024

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Attorneys for Defendants

Date: August 16, 2024

SO ORDERED

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U.S.D.J.